

02-28-02

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc796 U.S. PTO  
02/26/02

146.1169-CON-1-DIV-1-CON

Anticipated Classification  
of this Application:Class: 435 Subclass: 436

Prior Application:

Examiner: David SteadmanArt Unit: 1652jc971 U.S. PTO  
10/084814  
02/26/02Asst. Commissioner for Patents  
Washington, D.C. 20231

SIR:

This is a request for filing a

☒ Continuation

application under 37 CFR 1.53

☐ Divisionalof pending prior Application Serial No. 09/098,990Filed on: June 17, 1998 Of: Herman Slijkhuis et alFor: PROCESS FOR OXIDATION OF STEROIDS AND GENETICALLY ENGINEERED  
CELLS USED THEREIN

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy. (See 8 and 8a for drawing requirements).
2. ☐ Prepare a copy of the prior application.
3. ☒ The Filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION,  
LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW

<u>For</u>	<u>Number</u> <u>Filed</u>	<u>Number</u> <u>Filed</u> Excess of 20	<u>Rate</u>	<u>Basic Fee</u> <u>\$740.00</u>
Total Claims	<u>13</u>	<u>0</u>	X \$18.00 =	<u>\$740.00</u>
Independent Claims	<u>4</u>	Excess of 3 <u>1</u>	X \$84.00 =	<u>\$ 84.00</u>
Multiple dependent claims	[ ] Yes \$280.00 [ ] No			<u>0</u> <u>\$824.00</u>

4. [X] The Asst. Commissioner is hereby authorized to charge any fees which may be required, or to credit any over-payment to Account No. 02-2275. A duplicate copy of this sheet is enclosed.

[X] I hereby certify that this correspondence is being deposited with the U.S. Postal Service as express mail No. EV 068843490 US in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on February 26, 2002.

Date: February 26, 2002

  
Charles A. Muserlian # 19,683

5. [X] PTO Form 2038 for \$824.00 is enclosed.
6. [X] Cancel in this application original claims 2 to 33 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
7. [ ] Amend the specification by inserting before the first line in the sentence;  
This is a [ ] Continuation, [ ] Division of Serial No.
8. [ ] Transfer the drawings from the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used before payment of base issue fee).
- 8a. [X] New formal drawings are enclosed.
- 8b. [X] Priority of application Serial No. 88202080.3  
Filed: September 23, 1988 in The Netherlands  
and application Serial No. 88200904.6 Filed:  
May 6, 1988 in The Netherlands is claimed under 35 USC 119.
- 8c. [X] The certified copy has been filed in WIPO.
9. [X] The prior application is assigned of record to Aventis Pharma S.A.
10. [X] The power of attorney in the prior application is to any one of the following: Jordan B. Bierman, Reg. No. 18,629; Charles A. Muserlian, Reg. No. 19,683; Donald C. Lucas, Reg. No. 31,275; all of 600 Third Avenue, New York, N.Y. 10016; Registration No. 18,818; its attorney to file this Declaration with full power of substitution and revocation and to transact all business in the Patent Office connected therewith.


- a. [X] The power appears in the original papers of the prior application.
- b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. [X] Recognize as associate attorney and address all future communications to:

Charles A. Muserlian, Reg. No. 19,683  
c/o Bierman, Muserlian and Lucas  
600 Third Avenue  
New York, N.Y. 10016

11. [X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application).
12. [X] I hereby verify that the attached papers are a true copy of prior application Serial No. 09/098,990 as originally filed on June 17, 1998.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Date: February 26, 2002

  
Charles A. Muserlian  
Reg. No. 19,683

Bierman, Muserlian and Lucas  
600 Third Avenue  
New York, N.Y. 10016



20311  
PATENT TRADEMARK OFFICE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : SLIJKHUIS ET AL.  
Serial No. :  
Filed : Concurrently Herewith  
For : PROCESS FOR OXIDATION OF STEROIDS AND  
GENETICALLY ENGINEERING CELLS USED THEREIN  
Group Art Unit : 1652  
Examiner : D. Steadman

**STATEMENT UNDER 37 C.F.R. §1.825(b) or §1.825(d)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

I hereby certify that:

- [ ] The paper Sequence Listing and computer readable Sequence Listing submitted herewith are identical (37 C.F.R. §1.821 (f))
- [X] The substitute paper Sequence Listing and Substitute computer readable Sequence Listing submitted herewith are identical. No new matter is included. (37 C.F.R. §1.825 (b) or (d))

Respectfully submitted,  
BIERMAN, MUSERLIAN AND LUCAS, L.L.P.

Dated: February 26, 2002

By Charles A. Muserlian  
Charles A. Muserlian  
Reg. No. 19,683

Of Counsel:  
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Date of Deposit: February 26, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" Service under 37 CFR 1.10 on the date indicated above and is addressed to Asst. Commissioner for Patents, Washington, D.C. 20231.

  
Charles A. Muserlian

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